

From: "Greer, Christopher M (JMD)" <(b) (6)>

To: "Visser, Tim (OAG)" <(b) (6)>, "Purdy, Nikita (OAG)" <(b) (6)>

Subject: RE: WebEx: Leadership Conference Meeting

Date: Tue, 29 Mar 2022 22:18:31 +0000

Importance: Normal

That works. I admit I thought it was a fireside chat. I did not read the message correctly. My apologies.

Regards,
Chris

Chris M Greer

Mobile (b) (6)

From: Visser, Tim (OAG) <(b) (6)>

Sent: Tuesday, March 29, 2022 6:04 PM

To: Greer, Christopher M (JMD) <(b) (6)>; Purdy, Nikita (OAG) <(b) (6)>

Subject: RE: WebEx: Leadership Conference Meeting

Hi, Chris – this is an OAG event for several outside entities. Does that help you at all?

From: Greer, Christopher M (JMD) <(b) (6)>

Sent: Tuesday, March 29, 2022 6:03 PM

To: Purdy, Nikita (OAG) <(b) (6)>

Cc: Visser, Tim (OAG) <(b) (6)>

Subject: RE: WebEx: Leadership Conference Meeting

Can you tell me who the component is tomorrow.

Regards,
Chris

Chris M Greer

Mobile (b) (6)

-----Original Appointment-----

From: Purdy, Nikita (OAG) <(b) (6)> **On Behalf Of** Otus86, AG (OAG)

Sent: Tuesday, March 29, 2022 5:41 PM

To: AGPD; Calendar, AG86 (OAG); Watson, Theresa (OAG); Klapper, Matthew B. (OAG); AGPD2 (OAG); Davidson, Marcia A. (OAG); DAGSchedule; Gupta, Vanita (OASG); Visser, Tim (OAG)

Cc: Suero, Maya A. (ODAG); West Rasmus, Emma (OASG); Hannah Bundy; Cash, Tabitha (OAG); Greer, Christopher M (JMD); RFK-SurfaceHub1 (JMD)

Subject: WebEx: Leadership Conference Meeting

When: Wednesday, March 30, 2022 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: AG's Conference Room

POC: Tim Visser

Attendees: DAG Monaco, Associate Vanita Gupta, Tim Visser

Leadership Conference Attendees:

Portia White, VP for Policy and Legislative Affairs, NAACP (In Person)

23-07-1466-0299

Juri Jacoby, Legislative Director, Religious Action Center of Reform Judaism (Virtual)
Sheila Katz, CEO, National Council of Jewish Women (Virtual)
Sumayyah Waheed, Senior Policy Counsel, Muslim Advocates (Virtual)
Asifa Quraishi-Landes, Interim Co-Executive Director, Muslim Advocates (Virtual)
Margaret Huang, President, Southern Poverty Law Center (Virtual)
Janai Nelson, President and Director Counsel, NAACP Legal Defense Fund (In Person)
Lisa Cylar Barrett, Director of Policy, NAACP Legal Defense Fund (In Person)
Andrea Senteno, Regional Counsel, MALDEF (In Person)
Patrice Willoughby, Vice President of Policy and Legislative Affairs, NAACP (In Person)
John Yang, President and Executive Director, Asian Americans Advancing Justice (In Person)
Marc Morial, President, National Urban League (In Person)
Joi Chaney, Executive Director, Washington Bureau and Senior Vice President, Policy and Advocacy, National Urban League (In Person)
Jacqueline De Leon, Staff Attorney, Native American Rights Fund (In Person)
Maria Town, President, American Association of People w/Disabilities (In Person)
Lisa Rice, President, National Fair Housing Alliance (In Person)
Fatima Goss Graves, President, National Women's Law Center (In Person)
Maya Berry, Executive Director, Arab American Institute (In Person)
David Stacy, Government Affairs Director, Human Rights Campaign (In Person)
Damon Hewitt, President, Lawyers' Committee for Civil Rights Under Law (In Person)
Virginia Kase Solomon, CEO, League of Women Voters (In Person)
George Selim, Senior Vice President and National Affairs, Anti-Defamation League (In Person)
Michael Waldman, President, Brennan Center for Justice (In Person)
Adam Taylor, President Sojourners (In Person)
Dana Gershon, President, National Council of Jewish Women (In Person)
Wade Henderson, Interim President, Leadership Conference (In Person)
Maya Wiley, Incoming President, Leadership Conference (In Person)

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From: "Lin, Frank (ODAG)" <(b) (6)>

To: "Braden, Myesha (ODAG)" <(b) (6)>

Cc: "Singh, Anita M. (ODAG)" <(b) (6)>, "Stamper, Gwendolyn A. (JMD)" <(b) (6)>, "Chandler, Adam (ODAG)" <(b) (6)>

Subject: RE: Likely attendee list for Wednesday

Date: Tue, 29 Mar 2022 21:43:56 +0000

Importance: Normal

Thanks, Myesha! And plus Anita, Gwen, and Adam.

As an update, it sounds like (b) (5). Based on that, it would be my rec to (b) (5).

From: Braden, Myesha (ODAG) <(b) (6)>

Sent: Monday, March 28, 2022 2:57 PM

To: Lin, Frank (ODAG) <(b) (6)>

Subject: FW: Likely attendee list for Wednesday

Frank,

Please see below. Only 6 of the 12 orgs that regularly participate in the DAG's quarterly meeting are represented below. (See **highlights**.) Missing are:

American Civil Liberties Union (ACLU)

Bend the Arc Jewish Action

The Center for Constitutional Rights (CCR)

Human Rights Watch

Muslim Advocates

Southern Poverty Law Center (SPLC)

I don't think (b) (5).

Best,

Myesha

From: Visser, Tim (OAG) <(b) (6)>

Sent: Monday, March 28, 2022 2:25 PM

To: Braden, Myesha (ODAG) <(b) (6)>; Sooknanan, Sparkle (OASG)

<(b) (6)>

Subject: Likely attendee list for Wednesday

We just got the below from the Leadership Conference, which is what they expect the invite list to be for Wednesday. As of now, the plan is for 1pm ET for the meeting.

Name	Title	Organization	RSVP	In Person/Virtual	Vaccinated
Janai Nelson	President and Director-Counsel	NAACP Legal Defense Fund (LDF)	Attending	Virtual	N/A
Lisa Cylar Barrett	Director of Policy	NAACP Legal Defense Fund (LDF)	Attending	In person	(b) (6)
Andrea Senteno	Regional Counsel	MALDEF	Attending on behalf of Tom Saenz	In Person	
Patrice Willoughby	Vice President of Policy and Legislative Affairs	NAACP	Attending	Virtual	
John Yang	President and Executive Director	Asian Americans Advancing Justice AAJC	Attending	In Person	
Marc Morial	President and CEO	National Urban League	Attending	In Person	
Joi Chaney	Executive Director, Washington Bureau and Senior Vice President, Policy and Advocacy	National Urban League	Attending	Virtual	N/A
Jacqueline De Leon	Staff Attorney	Native American Rights Fund	Attending	Virtual	N/A
Maria Town	President and CEO	American Association of People with Disabilities (AAPD)	Attending	Virtual	N/A
Lisa Rice	President and CEO	National Fair Housing Alliance (NFHA)	Attending	Virtual	N/A
Fatima Goss Graves	President	National Women's Law Center	Attending	In Person	(b) (6)
Maya Berry	Executive Director	Arab American Institute	Attending	In person	
David Stacy	Government Affairs Director	Human Rights Campaign	Attending	In person	
Damon Hewitt	President and Executive Director	Lawyers' Committee for Civil Rights Under Law	Attending	In person	
Virginia Kase Solomon	CEO	League of Women Voters	Attending	In Person	
George Selim	Senior Vice President, National Affairs	Anti-Defamation League	Attending on behalf of Jonathan Greenblatt	In person	
Michael Waldman	President	Brennan Center for Justice	Attending	In person	

Adam Taylor	President	Sojourners	Attending	In person	(b) (6)
Juri Jacoby	Legislative Director	Religious Action Center of Reform Judaism	Attending on behalf of Rabbi Jonah Pesner	Virtual	N/A
Dana Gershon	President	National Council of Jewish Women	Attending	In Person	(b) (6)
Wade Henderson	Interim President and CEO	The Leadership Conference on Civil and Human Rights	Attending	In Person	
Maya Wiley	Incoming President and CEO	The Leadership Conference on Civil and Human Rights	Attending	In Person	
Jesselyn McCurdy	Executive Vice President for Government Affairs	The Leadership Conference on Civil and Human Rights	Attending	In Person	

To: "Klapper, Matthew B. (OAG)" <(b) (6)>, "Visser, Tim (OAG)" <(b) (6)>

Cc: "Singh, Anita M. (ODAG)" <(b) (6)>

Subject: RE: AG Meeting with Civil Rights Groups

Date: Tue, 29 Mar 2022 21:41:37 -0000

Importance: Normal

Rgr, thanks

From: Klapper, Matthew B. (OAG) <(b) (6)>

Sent: Tuesday, March 29, 2022 5:31 PM

To: Visser, Tim (OAG) <(b) (6)>; Lin, Frank (ODAG) <(b) (6)>

Cc: Singh, Anita M. (ODAG) <(b) (6)>

Subject: RE: AG Meeting with Civil Rights Groups

Going to leave this to LCCHR.

From: Visser, Tim (OAG) <(b) (6)>

Sent: Tuesday, March 29, 2022 2:21 PM

To: Lin, Frank (ODAG) <(b) (6)>; Klapper, Matthew B. (OAG) <(b) (6)>

Cc: Singh, Anita M. (ODAG) <(b) (6)>

Subject: RE: AG Meeting with Civil Rights Groups

Hi, all –

Muslim Advocates and SPLC should be in attendance tomorrow. The Leadership Conference has been crafting the attendee list, so I defer to Matt on how he wants to proceed with the other four orgs on your list.

Best,
Tim

From: Lin, Frank (ODAG) <(b) (6)>

Sent: Tuesday, March 29, 2022 2:15 PM

To: Klapper, Matthew B. (OAG) <(b) (6)>

Cc: Singh, Anita M. (ODAG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>

Subject: RE: AG Meeting with Civil Rights Groups

Sure thing!

Relatedly, as we were looking at pulling down the DAG's quarterly civil rights meeting, we noticed that there are six orgs (below) that are typically represented at the DAG's quarterly meeting but I understand are not currently attending the AG's meeting. Would you consider extending invites to these orgs, given the intent to have a meeting with more of their coalition members than usually participate?

American Civil Liberties Union (ACLU)
Bend the Arc Jewish Action
The Center for Constitutional Rights (CCR)
Human Rights Watch
Muslim Advocates
Southern Poverty Law Center (SPLC)
23-cv-1166 - 3327

Best,
Frank

From: Klapper, Matthew B. (OAG) <(b) (6)>
Sent: Thursday, March 24, 2022 10:08 PM
To: Lin, Frank (ODAG) <(b) (6)>
Cc: Singh, Anita M. (ODAG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>
Subject: Re: AG Meeting with Civil Rights Groups

Terrific. Thanks so much Frank.

Sent from my iPhone

On Mar 24, 2022, at 9:00 PM, Lin, Frank (ODAG) <(b) (6)> wrote:

Thanks, Matt! We'll check with Leadership Conference and I anticipate the DAG's quarterly will come down. On scheduling/process, I understand Myesha has been in contact with Tim, and Maya checks AG calendar for conflicts before scheduling. Moving forward, I've asked Maya to affirmatively reach out to Nikita to advise of dates for civil rights and LE quarterly meetings so we can maximize the AG's ability to attend.

Best,
Frank

From: Klapper, Matthew B. (OAG) <(b) (6)>
Sent: Thursday, March 24, 2022 12:27 PM
To: Lin, Frank (ODAG) <(b) (6)>
Cc: Singh, Anita M. (ODAG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>
Subject: RE: AG Meeting with Civil Rights Groups

Hi Frank- This is a large meeting with more of their coalition members than usually participate. We will also welcome Maya and send off Wade. Working on agenda with them but think you will end up wanting to pull down your 4/13 meeting, but you may want to check in with LCCHR to get their thoughts. Relatedly, can your team please work with Nikita on all civil rights and LE group meetings early in the scheduling process so we can ensure AG availability? He will want to attend most of these quarterly convenings. Thanks.

From: Lin, Frank (ODAG) <(b) (6)>
Sent: Thursday, March 24, 2022 12:20 PM
To: Klapper, Matthew B. (OAG) <(b) (6)>
Cc: Singh, Anita M. (ODAG) <(b) (6)>
Subject: AG Meeting with Civil Rights Groups

Hi Matt—We received an invite to hold time for a meeting with the AG and the Leadership Conference, and another meeting with the AG and the National Urban League. Can you let me know the POC in OAG for these meetings? We're trying to coordinate, as the DAG's quarterly meeting with the Leadership Conference and its member groups is on April 13, and we may pull that down depending on the agenda for the AG's meeting.

Best,
Frank

From: "Otus86, AG (OAG)" <(b) (6)>
To: AGPD <(b) (6)>, "Calendar, AG86 (OAG)" <(b) (6)>, "Watson, Theresa (OAG)" <(b) (6)>, "Klapper, Matthew B. (OAG)" <(b) (6)>, "AGPD2 (OAG)" <(b) (6)>, "Davidson, Marcia A. (OAG)" <(b) (6)>, DAGSchedule <(b) (6)>, "Gupta, Vanita (OASG)" <(b) (6)>, "Visser, Tim (OAG)" <(b) (6)>
Cc: "Suero, Maya A. (ODAG)" <(b) (6)>, "West Rasmus, Emma (OASG)" <(b) (6)>, Hannah Bundy <(b) (6)>, "Cash, Tabitha (OAG)" <(b) (6)>, "Greer, Christopher M (JMD)" <(b) (6)>, "RFK-SurfaceHub1 (JMD)" <RFK-SurfaceHub1@jmd.usdoj.gov>

Subject: WebEx: Leadership Conference Meeting

Date: Tue, 29 Mar 2022 21:40:30 +0000

Importance: Normal

Attachments: unnamed

POC: Tim Visser
Attendees: DAG Monaco, Associate Vanita Gupta, Tim Visser
Leadership Conference Attendees:
Portia White, VP for Policy and Legislative Affairs, NAACP (In Person)
Juri Jacoby, Legislative Director, Religious Action Center of Reform Judaism (Virtual)
Sheila Katz, CEO, National Council of Jewish Women (Virtual)
Sumayyah Waheed, Senior Policy Counsel, Muslim Advocates (Virtual)
Asifa Quraishi-Landes, Interim Co-Executive Director, Muslim Advocates (Virtual)
Margaret Huang, President, Southern Poverty Law Center (Virtual)
Janai Nelson, President and Director Counsel, NAACP Legal Defense Fund (In Person)
Lisa Cylar Barrett, Director of Policy, NAACP Legal Defense Fund (In Person)
Andrea Senteno, Regional Counsel, MALDEF (In Person)
Patrice Willoughby, Vice President of Policy and Legislative Affairs, NAACP (In Person)
John Yang, President and Executive Director, Asian Americans Advancing Justice (In Person)
Marc Morial, President, National Urban League (In Person)
Joi Chaney, Executive Director, Washington Bureau and Senior Vice President, Policy and Advocacy, National Urban League (In Person)
Jacqueline De Leon, Staff Attorney, Native American Rights Fund (In Person)
Maria Town, President, American Association of People w/Disabilities (In Person)
Lisa Rice, President, National Fair Housing Alliance (In Person)
Fatima Goss Graves, President, National Women's Law Center (In Person)
Maya Berry, Executive Director, Arab American Institute (In Person)
David Stacy, Government Affairs Director, Human Rights Campaign (In Person)
Damon Hewitt, President, Lawyers' Committee for Civil Rights Under Law (In Person)
Virginia Kase Solomon, CEO, League of Women Voters (In Person)
George Selim, Senior Vice President and National Affairs, Anti-Defamation League (In Person)
Michael Waldman, President, Brennan Center for Justice (In Person)
Adam Taylor, President Sojourners (In Person)
Dana Gershon, President, National Council of Jewish Women (In Person)
Wade Henderson, Interim President, Leadership Conference (In Person)
Maya Wiley, Incoming President, Leadership Conference (In Person)

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Meeting with The Leadership Conference

Wednesday, March 30, 2022

Current confirmed attendees:

Name	Title	Organization	RSVP	In Person/Virtual	Vaccinated
Janai Nelson	President and Director-Counsel	NAACP Legal Defense Fund (LDF)	Attending	Virtual	N/A
Lisa Cylar Barrett	Director of Policy	NAACP Legal Defense Fund (LDF)	Attending	In person	(b) (6)
Andrea Senteno	Regional Counsel	MALDEF	Attending on behalf of Tom Saenz	In Person	
Patrice Willoughby	Vice President of Policy and Legislative Affairs	NAACP	Attending	Virtual	
John Yang	President and Executive Director	Asian Americans Advancing Justice AAJC	Attending	In Person	
Marc Morial	President and CEO	National Urban League	Attending	In Person	
Joi Chaney	Executive Director, Washington Bureau and Senior Vice President, Policy and Advocacy	National Urban League	Attending	Virtual	N/A

Jacqueline De Leon	Staff Attorney	Native American Rights Fund	Attending	Virtual	N/A
Maria Town	President and CEO	American Association of People with Disabilities (AAPD)	Attending	Virtual	N/A
Lisa Rice	President and CEO	National Fair Housing Alliance (NFHA)	Attending	Virtual	N/A
Fatima Goss Graves	President	National Women's Law Center	Attending	In Person	(b) (6)
Maya Berry	Executive Director	Arab American Institute	Attending	In person	
David Stacy	Government Affairs Director	Human Rights Campaign	Attending	In person	
Damon Hewitt	President and Executive Director	Lawyers' Committee for Civil Rights Under Law	Attending	In person	
Virginia Kase Solomon	CEO	League of Women Voters	Attending	In Person	
George Selim	Senior Vice President, National Affairs	Anti-Defamation League	Attending on behalf of Jonathan Greenblatt	In person	
Michael Waldman	President	Brennan Center for Justice	Attending	In person	
Adam Taylor	President	Sojourners	Attending	In person	

Juri Jacoby	Legislative Director	Religious Action Center of Reform Judaism	Attending on behalf of Rabbi Jonah Pesner	Virtual	N/A
Dana Gershon	President	National Council of Jewish Women	Attending	In Person	(b) (6)
Wade Henderson	Interim President and CEO	The Leadership Conference on Civil and Human Rights	Attending	In Person	
Maya Wiley	Incoming President and CEO	The Leadership Conference on Civil and Human Rights	Attending	In Person	
Jesselyn McCurdy	Executive Vice President for Government Affairs	The Leadership Conference on Civil and Human Rights	Attending	In Person	

Additions:

Name	Title	Organization	RSVP	In Person/Virtual	Vaccinated
Portia White	VP for Policy and Legislative Affairs	NAACP	Attending	In Person	(b) (6)
Juri Jacoby	Legislative Director	Religious Action Center of Reform Judaism	Attending	Virtual	N/A

Sheila Katz	CEO	National Council of Jewish Women (NCJW)	Attending	Virtual	N/A
Sumayyah Waheed	Senior Policy Counsel	Muslim Advocates	Attending	Virtual	N/A
Asifa Quraishi-Landes	Interim Co-Executive Director	Muslim Advocates	Attending	Virtual	N/A
Margaret Huang	President	Southern Poverty Law Center	Attending	Virtual	N/A

From: "Visser, Tim (OAG)" <(b) (6)>

To: "Braden, Myesha (ODAG)" <(b) (6)>, "Sooknanan, Sparkle (OASG)" <(b) (6)>

Subject: RE: Likely attendee list for Wednesday

Date: Mon, 28 Mar 2022 21:52:25 -0000

Importance: Normal

Some additional expected attendees:

Name	Title	Organization	RSVP	In Person/Virtual	Vaccinated
Portia White	VP for Policy and Legislative Affairs	NAACP	Attending	In Person	(b) (6)
Juri Jacoby	Legislative Director	Religious Action Center of Reform Judaism	Attending	Virtual	N/A
Sheila Katz	CEO	National Council of Jewish Women (NCJW)	Attending	Virtual	N/A
Sumayyah Waheed	Senior Policy Counsel	Muslim Advocates	Attending	Virtual	N/A
Asifa Quraishi-Landes	Interim Co-Executive Director	Muslim Advocates	Attending	Virtual	N/A
Margaret Huang	President	Southern Poverty Law Center	Attending	Virtual	N/A

From: Visser, Tim (OAG)

Sent: Monday, March 28, 2022 2:25 PM

To: Braden, Myesha (ODAG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>

Subject: Likely attendee list for Wednesday

Duplicative Information - See Document ID 22-cv-1166 - 3324

From: "Braden, Myesha (ODAG)" <(b) (6)>

To: "Visser, Tim (OAG)" <(b) (6)>

Cc: "Lin, Frank (ODAG)" <(b) (6)>

Subject: RE: Next week's AG civil rights meeting orgs

Date: Fri, 25 Mar 2022 17:42:16 +0000

Importance: Normal

Understood.

-----Original Message-----

From: Visser, Tim (OAG) <(b) (6)>

Sent: Friday, March 25, 2022 1:36 PM

To: Braden, Myesha (ODAG) <(b) (6)>

Cc: Lin, Frank (ODAG) <(b) (6)>

Subject: RE: Next week's AG civil rights meeting orgs

Thanks! (I only had info from the December meeting, so I did not now if the list changed each quarter.)

-----Original Message-----

From: Braden, Myesha (ODAG) <(b) (6)>

Sent: Friday, March 25, 2022 1:31 PM

To: Visser, Tim (OAG) <(b) (6)>

Cc: Lin, Frank (ODAG) <(b) (6)>

Subject: RE: Next week's AG civil rights meeting orgs

It's the same as always:

Arab American Institute (AAI) American Civil Liberties Union (ACLU)
Asian Americans Advancing Justice (AAJC) Bend the Arc Jewish Action
Brennan Center for Justice The Center for Constitutional Rights (CCR)
Leadership Conference on Civil & Human Rights Human Rights Watch
Lawyers' Committee for Civil Rights Muslim Advocates
NAACP- LDF, Inc. Religious Action Center of Reform Judaism (RAC)
Southern Poverty Law Center (SPLC)

-----Original Message-----

From: Visser, Tim (OAG) <(b) (6)>

Sent: Friday, March 25, 2022 1:28 PM

To: Braden, Myesha (ODAG) <(b) (6)>

Cc: Lin, Frank (ODAG) <(b) (6)>

Subject: RE: Next week's AG civil rights meeting orgs

Of course; shall do. Is there a current list of invitees for the DAG's quarterly meetings? I do not think I've ever seen that.

Best,
Tim

-----Original Message-----

From: Braden, Myesha (ODAG) <(b) (6)>

Sent: Friday, March 25, 2022 1:26 PM
To: Visser, Tim (OAG) <(b) (6)>
Cc: Lin, Frank (ODAG) <(b) (6)>
Subject: RE: Next week's AG civil rights meeting orgs

Okay. Please share once you have it in hand. (Plus Frank)

-----Original Message-----

From: Visser, Tim (OAG) <(b) (6)>
Sent: Friday, March 25, 2022 1:07 PM
To: Braden, Myesha (ODAG) <(b) (6)>
Subject: RE: Next week's AG civil rights meeting orgs

Hi, Myesha. I do not have that list yet, but I assume there will be significant overlap. We expect the list at some point today.

-Tim

-----Original Message-----

From: Braden, Myesha (ODAG) <(b) (6)>
Sent: Friday, March 25, 2022 1:06 PM
To: Visser, Tim (OAG) <(b) (6)>
Subject: Next week's AG civil rights meeting orgs

Hi, Tim.

Can you please give me a list of the orgs attending next week's meeting? ODAG is considering cancelling the quarterly if there is too much overlap.

Thanks,

Myesha

Sent from my iPhone

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+1 (b) (6) US
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(b) (6) (US East)

Meeting ID: (b) (6)

Passcode: (b) (6)

From: "Lin, Frank (ODAG)" <(b) (6)>
To: "Braden, Myesha (ODAG)" <(b) (6)>, "Singh, Anita M. (ODAG)" <(b) (6)>, "Suero, Maya A. (ODAG)" <(b) (6)>
Cc: "Folk, Anders (ODAG)" <(b) (6)>, "Pietranton, Kelsey (PAO)" <(b) (6)>

Subject: RE: Wednesday, March 30

Date: Fri, 25 Mar 2022 00:55:34 +0000

Importance: Normal

Thanks, Myesha! I don't have the current list of invitees from OAG, but I understand they intend to invite a larger group. Tim Visser was on my email to Matt Klapper, can you check with Tim on participation?

From: Braden, Myesha (ODAG) <(b) (6)>
Sent: Thursday, March 24, 2022 1:18 PM
To: Lin, Frank (ODAG) <(b) (6)>; Singh, Anita M. (ODAG) <(b) (6)>; Suero, Maya A. (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Pietranton, Kelsey (PAO) <(b) (6)>
Subject: RE: Wednesday, March 30

Frank,

If all of the different org under the Leadership umbrella from the DAG's quarterly meeting are participating, this will cover it. If the meeting is only Leadership Conference staff, it will not. FYSA, the quarterly meeting orgs are below:

<i>Arab American Institute (AAI)</i>	<i>American Civil Liberties Union (ACLU)</i>
<i>Asian Americans Advancing Justice (AAJC)</i>	<i>Bend the Arc Jewish Action</i>
<i>Brennan Center for Justice</i>	<i>The Center for Constitutional Rights (CCR)</i>
<i>Leadership Conference on Civil & Human Rights</i>	<i>Human Rights Watch</i>
<i>Lawyers' Committee for Civil Rights</i>	<i>Muslim Advocates</i>
<i>NAACP- LDF, Inc.</i>	<i>Religious Action Center of Reform Judaism (RAC)</i>
<i>Southern Poverty Law Center (SPLC)</i>	

Yes. Both OASG and OAG have a heads-up about the meeting. Sparkle placed it on Vanita's calendar, but because the AG does not normally attend, I don't know how Tim handles notice to the AG.

Best,

Myesha

From: Lin, Frank (ODAG) <(b) (6)>
Sent: Thursday, March 24, 2022 12:48 PM
To: Braden, Myesha (ODAG) <(b) (6)>; Singh, Anita M. (ODAG) <(b) (6)>; Suero, Maya A. (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Pietranton, Kelsey (PAO) <(b) (6)>
Subject: RE: Wednesday, March 30

Hi Myesha—I received a little more information re next week's meeting with Leadership Conference. It will include more of their members than usually participate, and as you prophesized, it is an opportunity to welcome Maya Wiley and thank Wade Henderson. The agenda is still being finalized but will likely have significant overlap with our April 13 meeting.

Given this, I think next week's meeting will satisfy the DAG/ASG's quarterly meeting request (ASG agrees). If you agree, can you reach out to your contacts at the Leadership Conference to confirm and we can pull down?

Also, were you able to give OAG/OASG a heads up about the DAG's quarterly meeting on the 13th? I was asked by Matt Klapper about process on these, and I understand process on our end to be that you give OAG/OASG a heads up, and Maya also checks calendars before scheduling.

Maya, if you're not already doing this, moving forward, can you please separately let Nikita know as soon as we hold time for these (and quarterly LE group meetings), as AG will want to attend these quarterly convenings?

Thanks all,
Frank

From: Braden, Myesha (ODAG) <(b) (6)>
Sent: Tuesday, March 22, 2022 4:32 PM
To: Lin, Frank (ODAG) <(b) (6)>; Singh, Anita M. (ODAG) <(b) (6)>; Suero, Maya A. (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Pietranton, Kelsey (PAO) <(b) (6)>
Subject: RE: Wednesday, March 30

Tim is also not directly tracking this meeting. He is aware that the AG has generally been looking to land a meeting with civil rights groups, but scheduling has been difficult.

From: Braden, Myesha (ODAG)
Sent: Tuesday, March 22, 2022 4:13 PM
To: Lin, Frank (ODAG) <(b) (6)>; Singh, Anita M. (ODAG) <(b) (6)>; Suero, Maya A. (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Pietranton, Kelsey (PAO) <(b) (6)>
Subject: RE: Wednesday, March 30

I am not tracking either meeting.

The DAG's quarterly meeting with Leadership Conference and its member groups is on April 13, but Urban League does not participate.

Is Leadership Conference, perhaps, introducing its new President to the AG? Maya Wiley will take over for Wade Henderson. I have no idea why they would be meeting with Urban League.

From: Lin, Frank (ODAG) <(b) (6)>
Sent: Tuesday, March 22, 2022 4:08 PM
To: Singh, Anita M. (ODAG) <(b) (6)>; Suero, Maya A. (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Pietranton, Kelsey (PAO) <(b) (6)>
Subject: RE: Wednesday, March 30

Thanks!

Myesha, are you tracking, and if not, will you please reach out to Tim? Thanks!

From: Singh, Anita M. (ODAG) <(b) (6)>
Sent: Tuesday, March 22, 2022 3:46 PM

To: Suero, Maya A. (ODAG) <(b) (6)>; Lin, Frank (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>;
Pietranton, Kelsey (PAO) <(b) (6)>
Subject: RE: Wednesday, March 30

+ Kelsey for engagement.

From: Suero, Maya A. (ODAG) <(b) (6)>
Sent: Tuesday, March 22, 2022 3:38 PM
To: Lin, Frank (ODAG) <(b) (6)>; Singh, Anita M. (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>
Subject: RE: Wednesday, March 30

I already alerted them of the DAG's travel time.

Best,

Maya Suero
Special Assistant
Office of the Deputy Attorney General
Phone: (b) (6)

From: Lin, Frank (ODAG) <(b) (6)>
Sent: Tuesday, March 22, 2022 3:37 PM
To: Suero, Maya A. (ODAG) <(b) (6)>; Singh, Anita M. (ODAG) <(b) (6)>
Cc: Folk, Anders (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>
Subject: RE: Wednesday, March 30

Thanks, Maya. If you haven't already, can you flag that DAG is travelling on April 1?

Also, +Anders and Myesha. Do either of you know the topic of these meetings? Depending on agenda, DAG may want to attend entirety, so we might have to ask AG to shift if possible.

Best,
Frank

From: Suero, Maya A. (ODAG) <(b) (6)>
Sent: Tuesday, March 22, 2022 3:03 PM
To: Singh, Anita M. (ODAG) <(b) (6)>; Lin, Frank (ODAG) <(b) (6)>
Subject: RE: Wednesday, March 30

Also noting that OAG is planning on meeting with National Urban League on Friday, April 1.

Maya Suero
Special Assistant
Office of the Deputy Attorney General
Phone: 202-514-2101

From: Suero, Maya A. (ODAG)
Sent: Tuesday, March 22, 2022 2:51 PM
To: Anita M. Singh (ODAG) ((b) (6)) <(b) (6)>; Lin, Frank (ODAG) <(b) (6)>
Subject: Wednesday, March 30
23-cv-1166 - 3897

Good afternoon,

OAG is planning to do a 2 p.m. meeting with Leadership Conference next Wednesday. I relayed the DAG will be hosting the Home Secretary at 2:30, so they want to check if she would be able to pop in for a portion of the meeting (2 – 2:30 p.m.).

Maya Suero

Special Assistant

Office of the Deputy Attorney General

Phone: (b) (6)

From: "Foran, Sheila (CRT)" <(b) (6)>

To: "Braden, Myesha (ODAG)" <(b) (6)>, "Folk, Anders (ODAG)" <(b) (6)>

Subject: FW: SPLC briefing and discussion

Date: Thu, 24 Mar 2022 16:27:05 +0000

Importance: Normal

Attachments: unnamed

-----Original Appointment-----

From: Foran, Sheila (CRT)

Sent: Wednesday, March 23, 2022 5:06 PM

To: Moosy, Robert (CRT); Felte, James (CRT); Hahn, Mary (OASG); Smith, Johnathan (CRT); Lopez, Louis (CRT);

(b)(6) Michael Lieberman

Cc: Rossi, Rachel (OASG); LaShawn Warren; Nate Schenckan

Subject: SPLC briefing and discussion

When: Friday, March 25, 2022 12:00 PM-1:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: [https://www.zoomgov.com/join/\(b\)\(6\)](https://www.zoomgov.com/join/(b)(6))

All, looking forward to discussing SPLC's *Year in Hate and Extremism* Report this Friday.

AGENDA

- Introductions (All; noon-12:05)
- Highlights, *Year in Hate and Extremism* Report (SPLC; 12:05-12:15)
- Policy Recommendations Based on Report Findings (SPLC; 12:15-12:25)
- Discussion, Intersecting Interests (All; 12:25-12:50)
- Wrap-up (DOJ; 12:50-12:55)

Sheila Foran is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

[https://www.zoomgov.com/join/\(b\)\(6\)](https://www.zoomgov.com/join/(b)(6))

Meeting ID: (b) (6)

Passcode: (b) (6)

One tap mobile

+1 (b) (6) #,*,* (b) (6) # US (San Jose)

+1 (b) (6) #,*,* (b) (6) # US (San Jose)

Dial by your location

+1 (b) (6) US (San Jose)

+1 (b) (6) US (San Jose)

+1 (b) (6) US

+1 (b) (6) US (New York)

Meeting ID: (b) (6)

Passcode: (b) (6)

Find your local number: <https://www.zoomgov.com/join/adMqDof2W8>

Join by SIP

(b) (6) [@sip.zoomgov.com](mailto:(b)(6)@sip.zoomgov.com)

1166 - 3934

Join by H.323

(b) (6) (US West)

(b) (6) (US East)

Meeting ID: (b) (6)

Passcode: (b) (6)

From: "Foran, Sheila (CRT)" <(b) (6)>

To: "Braden, Myesha (ODAG)" <(b) (6)>

Subject: RE: meeting with SPLC on Friday noon-1pm; can you join?

Date: Thu, 24 Mar 2022 16:12:49 +0000

Importance: Normal

Excellent, thanks! Shall do.

From: Braden, Myesha (ODAG)

Sent: Thursday, March 24, 2022 12:07 PM

To: Foran, Sheila (CRT) <(b) (6)>

Subject: RE: meeting with SPLC on Friday noon-1pm; can you join?

Hi, Sheila.

Yes. I'm happy to join. Please invite Anders as well.

Thanks,

Myesha

From: Foran, Sheila (CRT) <(b) (6)>

Sent: Thursday, March 24, 2022 11:51 AM

To: Braden, Myesha (ODAG) <(b) (6)>

Subject: RE: meeting with SPLC on Friday noon-1pm; can you join?

Also should have said who from our side is invited, and can attend at least part of the time: Robert; Jim; Mary Hahn; Rachel Rossi; Johnathan; Louis.

I'm also reaching out to (b)(6), (b)(7)(C) per FBI (FBI POC to the Hate Crimes Enforcement and Prevention Initiative, and to Jim's "Expediter" group – the "No Hate" committee). Finally, will also include Robbie Monteleone, the EOUSA hate crimes coordinator.

Thx, Sheila

From: Foran, Sheila (CRT)

Sent: Thursday, March 24, 2022 11:47 AM

To: Braden, Myesha (ODAG) <(b) (6)>

Subject: meeting with SPLC on Friday noon-1pm; can you join?

Hi Myesha,

Per an email from Michael Lieberman a couple of weeks ago, I've set up a meeting with Michael and a few others from SPLC this Friday – tomorrow – from noon-1pm (this time and date came up as a solid possibility just a couple of days ago).

This is short notice, but per Outlook, it looks like this time and date might work for you. Can I include you on the calendar invite? Here's the agenda:

Agenda looks like this:
23-cv-1166 - 3946

- SPLC will take 5-10 min. to present highlights of their “Year in Hate and Extremism” report.
- SPLC will take 5 min. to walk through their policy recommendations based on findings in the report. See [accompanying policy recommendation](#)
- Next 30-40 min. would be devoted to discussion -- talking through intersecting interests.

Thanks, Sheila

Sheila M. Foran
Special Legal Counsel
Policy and Strategy Section

Civil Rights Division, U.S. Department of Justice

(b) (6)

From: "Cochran, Shaylyn (CRT)" <(b) (6)>
To: "Sooknanan, Sparkle (OASG)" <(b) (6)>, "Braden, Myesha (ODAG)" <(b) (6)>
Cc: "Visser, Tim (OAG)" <(b) (6)>, "Atkinson, Lawrence (ODAG)" <(b) (6)>, "Folk, Anders (ODAG)" <(b) (6)>

Subject: RE: follow up -- list of education stakeholders

Date: Tue, 15 Mar 2022 14:25:44 +0000

Importance: Normal

Hi All,

I added Anders here to pull together the email threads. I'll ask our folks to direct generalized inquiries to Rush; to the extent someone is looking for a POC on meetings held in specific federal districts, we will direct them to their respective USAOs, per Anders.

Best,
Shaylyn

From: Sooknanan, Sparkle (OASG)
Sent: Tuesday, March 15, 2022 10:00 AM
To: Braden, Myesha (ODAG) <(b) (6)>; Cochran, Shaylyn (CRT) <(b) (6)>
Cc: Visser, Tim (OAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>
Subject: RE: follow up -- list of education stakeholders

Thanks, Myesha.

Shaylyn—It might make sense to forward the incoming to Rush so he can understand the inquiries and assess how to proceed.

Thanks, team!

From: Braden, Myesha (ODAG) <(b) (6)>
Sent: Tuesday, March 15, 2022 9:49 AM
To: Cochran, Shaylyn (CRT) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>
Cc: Visser, Tim (OAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>
Subject: RE: follow up -- list of education stakeholders

Hi, Shaylyn.

Kevin Chambers was the POC leading the Department's work re: threats against school officials, but has recently been named as Director of the new COVID task force. Rush Atkinson (copied here) has taken over the CRM division portfolio for ODAG, and I assume that bucket of work.

Best,

Myesha

From: Cochran, Shaylyn (CRT) <(b) (6)>
Sent: Tuesday, March 15, 2022 9:16 AM
To: Sooknanan, Sparkle (OASG) <(b) (6)>
Cc: Visser, Tim (OAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>
Subject: follow up -- list of education stakeholders

Good Morning Sparkle,

As I flagged earlier this morning, during a recent EOS stakeholder meeting, several advocates asked for an update on the Department's efforts to implement the AG's October 4, 2021 Memo. Since that meeting, the National Education Association has followed up to reiterate its request for an update and/or for a point of contact in the Department to be identified, so NEA and other groups can direct future inquiries to that person. The full list of organizations that attended the stakeholder meeting is below.

Tim, this is the same issue that I put on your radar last week. Including Myesha for ODAG visibility as well.

Shaylyn

Lawyers Committee
NILC
Lambda
LDF
LCCHR
ACLU
NEA
GLSEN
NWLC
SPLC
IDRA (Intercultural Development Research Association)
African American Policy Forum

Shaylyn Cochran
Chief of Staff and Senior Counsel
Office of the Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
(b) (6) (work cell)
(b) (6)

From: "Purdy, Nikita (OAG)" <(b) (6)>
To: Jesselyn McCurdy <(b) (6)>
Cc: "Watson, Theresa (OAG)" <(b) (6)>, "Davidson, Marcia A. (OAG)" <(b) (6)>
Subject: RE: [EXTERNAL] FW: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials
Date: Fri, 11 Mar 2022 16:45:30 +0000
Importance: Normal
Inline-Images: image006.png; image007.png; image008.png; image009.png; image010.png; image011.png; image012.png; image013.png; image014.png

Great, thanks so much! I will be standing by.

Nikita

From: Jesselyn McCurdy <(b) (6)>
Sent: Friday, March 11, 2022 11:39 AM
To: Purdy, Nikita (OAG) <(b) (6)>
Subject: Re: [EXTERNAL] FW: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials

Thanks Nikita. We need to check in with a few key coalition members to determine which date works best for them.

I will be able to let you know on Monday. Thanks.

**The Leadership
Conference on
Civil and Human
Rights**

**Jesselyn McCurdy (she/her)
Executive Vice President**

for Government Affairs

The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
1620 L Street NW, Suite 1100, Washington, D.C. 20036

O: (b) (6)

M: (b) (6)

(b) (6)



From: Purdy, Nikita (OAG) <(b) (6)>
Sent: Friday, March 11, 2022 11:36 AM
To: Jesselyn McCurdy <(b) (6)>
Cc: Watson, Theresa (OAG) <(b) (6)>; Davidson, Marcia A. (OAG) <(b) (6)>
Subject: FW: [EXTERNAL] FW: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials
23-cv-1166 - 3996

Good morning Ms. McCurdy,

Just tried giving you a call but I have cc'd you on an email with available dates that we have thus far. If you could please let me know if those dates and times work that would be helpful!

Looking forward to working with you,

Nikita Purdy
Acting Director of Scheduling and Advance
Office of the Attorney General
(b) (6)
Office: (b) (6)
Cell: (b) (6)

From: Jesselyn McCurdy <(b) (6)>
Sent: Friday, March 11, 2022 11:31 AM
To: Klapper, Matthew B. (OAG) <(b) (6)>
Cc: Purdy, Nikita (OAG) <(b) (6)>
Subject: Re: [EXTERNAL] FW: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials

Hey Matt,

Good to hear from you. Looking forward to hearing from Nikita. Thanks

**The Leadership
Conference on
Civil and Human
Rights**

**Jesselyn McCurdy (she/her)
Executive Vice President**

for Government Affairs

The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
1620 L Street NW, Suite 1100, Washington, D.C. 20036

O: (b) (6)

M: (b) (6)

(b) (6)



From: Klapper, Matthew B. (OAG) <(b) (6)>
Sent: Thursday, March 10, 2022 11:22 PM
To: Wade Henderson <(b) (6)>
Cc: Jesselyn McCurdy <(b) (6)>; Hannah Bundy <(b) (6)>; Purdy, Nikita (OAG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>
Subject: Re: [EXTERNAL] FW: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials

Wade,

23-cv-1166 - 3997

Thanks so much. Looking forward to making this happen the week of the 28th. Nikita will be in touch with Jesselyn (hi Jesselyn) tomorrow.

Best,
Matt

Sent from my iPhone

On Mar 10, 2022, at 2:17 PM, Wade Henderson <(b) (6)> wrote:

Matt:

Thanks for your follow up to our request for a meeting with AG Garland and his top deputies. As I understand it, the meeting is potentially being scheduled for the week of March 28th. Jesselyn McCurdy, EVP for Government Affairs, will be coordinating the meeting from our end. We hope our meeting can do a deep dive on DOJ's response to the challenges of voting rights, police reform and hate crimes. Given the seriousness of the discussion, the size of our group, and the fact that this is our first coalition meeting with AG Garland because of COVID, we hope that 90 minutes could be devoted to the conversation. It would also be helpful to prepare for both an in-person and virtual meeting. I'm certain that some of our coalition members will be unable to attend in-person.

Thanks again for your assistance.

All the best,
Wade

Wade Henderson
Interim President and CEO

The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund

civilrights.org

From: Jesselyn McCurdy <(b) (6)>

Sent: Wednesday, March 9, 2022 7:01 PM

To: Wade Henderson <(b) (6)>

Cc: Hannah Bundy <(b) (6)>

Subject: Re: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials

Wade,

This is the list we came up with for the meeting with AG Garland on voting rights, police reform and hate crimes. There are 27 people on this list.

1. Wade Henderson, Maya Wiley + Jesselyn McCurdy, The Leadership Conference;
 2. Sherrilyn Iffil, Janai Nelson, NAACP/LDF;
 3. Thomas Saenz, MALDEF;
 4. Derrick Johnson NAACP;
 5. Janet Murguia + Eric Rodriguez, UNIDOS
 6. John Yang, AAJC;
- 23-cv-1166 - 3998

7. Marc Morial + Joi Chaney, NUL;
8. Jacqueline de Leon, NARF ;
9. Maria Town, AAPD ;
10. Lisa Rice, NFHA;
11. Fatima Goss Graves, NWLC;
12. Maya Berry, Arab American Institute
13. David Stacey, HRC;
14. Damon Hewitt, LCCRUL;
15. Virginia Kase Solomon, League of Women Voters;
16. Jonathan Greenblatt, Anti-Defamation League
17. Michael Waldman, Brennan Center for Justice
18. Margaret Huang, SPLC;
19. Rev. Adam Taylor, Sojourners; and
20. Rabbi Jonah Pesner, Religious Action Center
21. Shelia Katz, National Council of Jewish Women
22. Farah Brelvi, Muslim Advocates (Co-Executive Director)

**The Leadership
Conference on
Civil and Human
Rights**

**Jesselyn McCurdy (she/her)
Executive Vice President**

for Government Affairs

The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
1620 L Street NW, Suite 1100, Washington, D.C. 20036

O: (b) (6)

M: (b) (6)

(b) (6)



From: Wade Henderson <(b) (6)>

Sent: Tuesday, March 8, 2022 8:02 PM

To: Jesselyn McCurdy <(b) (6)>

Subject: Fwd: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials

Original list.

Wade Henderson
Interim President and CEO
The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
Twitter: @Wade4Justice
civilrights.org

Begin forwarded message:

From: Wade Henderson <(b) (6)>
Date: March 8, 2022 at 4:24:16 PM EST
To: Jesselyn McCurdy <(b) (6)>
Cc: Wade Henderson <(b) (6)>
Subject: Fwd: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials

Wade Henderson
Interim President and CEO
The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
Twitter: @Wade4Justice
civilrights.org

Begin forwarded message:

From: Wade Henderson <(b) (6)>
Date: February 11, 2022 at 12:43:00 PM EST
To: (b)(6) Vanita Gupta
Cc: Jesselyn McCurdy <(b) (6)>, Hannah Bundy <(b) (6)>
Subject: Request for a Meeting w/ Attorney General Merrick Garland and Senior DOJ Officials

Dear Vanita:

This brief note is a follow-up to our recent conversation regarding The Leadership Conference's interest in a meeting with the Attorney General and senior DOJ officials (DAG; Associate AG; et al) to discuss some of the most pressing matters facing our nation today, i.e. voting rights enforcement and voter suppression; police accountability and related reforms; and increased hate crime activity. As we discussed, the timing of this request is especially urgent. The recent collapse of congressional action on the Freedom to Vote: John Lewis Voting Rights Advancement Act, and the earlier collapse of action on the George Floyd Justice in Policing Act, coupled with an increased rise crime, makes this an especially important time for The Leadership Conference to engage directly with the Attorney General in seeking DOJ intervention. Because of the importance of the meeting, we are limiting participation to organizational leaders plus one additional representative. We hope this note can serve as a formal request for the meeting, although we're happy to provide additional information if needed.

If the Attorney General agrees, we should have the meeting some time in March. We would also hope that if the pandemic continues to subside, the meeting could be held both in-person and virtually for those unable to travel to Washington.

The following representatives are being invited to attend the meeting:

1. Wade Henderson + Jesselyn McCurdy, The Leadership Conference;
2. Sherrilyn Iffil, Janai Nelson + Lisa Cyler Barrett, NAACP/LDF;
3. Thomas Saenz + One, MALDEF;
4. Derrick Johnson + One, NAACP;
5. Janet Murguia + Eric Rodriguez, UNIDOS US;
6. John Yang + Terri Ao Minus, AAJC;
7. Marc Morial + Joi Chaney, NUL;
8. John Echohawk + Jacqueline de Leon, NARF ;

9. Maria Town, AAPD ;
10. Lisa Rice + Nikitra Bailey, NFHA;
11. Fatima Goss Graves + One, NWLC;
12. Maya Berry, Arab American Institute + David Stacey, HRC;
13. Damon Hewitt + Demelza Baer, LCCRUL;
14. Virginia Kase Solomon, League of Women Voters;
15. Jonathan Greenblatt, Anti-Defamation League

Thank you again for your help in facilitating this important meeting.

All the best,
Wade



Wade Henderson (he/his)
Interim President and CEO

The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
1620 L Street NW, Suite 1100, Washington, D.C. 20036
Twitter: [@Wade4Justice](https://twitter.com/Wade4Justice)
civilrights.org



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From: "Cochran, Shaylyn (CRT)" <(b) (6)>

To: "Visser, Tim (OAG)" <(b) (6)>

Subject: RE: follow up

Date: Mon, 7 Mar 2022 23:40:12 +0000

Importance: Normal

Hi Tim,

I'm following up here. Unless I hear otherwise, I will pass along that there aren't any updates at this time.

Best,
Shaylyn

From: Cochran, Shaylyn (CRT)

Sent: Thursday, March 3, 2022 10:25 AM

To: Visser, Tim (OAG) <(b) (6)>

Subject: follow up

Re: last night's call.

Lawyers Committee

NILC

Lambda

LDF

LCCHR

ACLU

NEA

GLSEN

NWLC

SPLC

IDRA (Intercultural Development Research Association)

African American Policy Forum

Shaylyn

Shaylyn Cochran

Chief of Staff and Senior Counsel

Office of the Assistant Attorney General

Civil Rights Division

U.S. Department of Justice

(b) (6) (work cell)

(b) (6)

From: "Braden, Myesha (ODAG)" <(b) (6)>

To: "Michael Lieberman" <(b) (6)>

Subject: RE: SPLC Year in Hate and Extremism 2021 report -- invitation to our March 9 11:00 AM release event

Date: Mon, 07 Mar 2022 21:01:23 -0000

Importance: Normal

Hi, Michael.

Thanks for the information and invitation. I won't be able to join, but I look forward to reading the report.

Best wishes,

Myesha

From: Michael Lieberman <(b) (6)>

Sent: Monday, March 7, 2022 3:15 PM

To: Moosy, Robert (CRT) <(b) (6)>; Smith, Johnathan (CRT) <(b) (6)>; Rossi, Rachel (OASG) <(b) (6)>; Foran, Sheila (CRT) <(b) (6)>; Felte, James (CRT) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>

Subject: [EXTERNAL] SPLC Year in Hate and Extremism 2021 report -- invitation to our March 9 11:00 AM release event

Robert, Johnathan, Rachel, Sheila, James, and Myesha,
I hope you are all doing well.

Please join us, if you can, this [Wednesday, March 9 at 11:00 AM](#) for the release of SPLC's *Year in Hate and Extremism 2021* report

More information on the report, and the RSVP form, are below.

Please share this invite with your colleagues.

In addition, I would love to set up special briefings for you and other Justice Department staff – together or separately – with the authors of our report in the coming weeks.

Let me know if that would be of interest and I can make it happen.

Thanks.

Michael

The Southern Poverty Law Center is the leading non-governmental source of information about the threat posed by far-right domestic hate groups and other extremists – including the Ku Klux Klan, the neo-Nazi movement, racist skinheads, and antigovernment militias. Our Intelligence Project subject matter experts closely track hundreds of extremist groups operating across the country and publish investigative reports, share key intelligence, and offer expert analysis to government officials, journalists, and the public.

Every year since 1990, SPLC has published our [Year in Hate and Extremism report](#) – our seminal analysis of the nature and magnitude of the extremist threat in the United States. We accompany this annual assessment of the menace posed by domestic hate organizations and anti-government militia groups with forward-looking policy recommendations designed to confront violent extremism and protect our democratic

institutions. Central to addressing these threats is a commitment to whole of government, long-term education and prevention initiatives to counter racism, antigovernment extremism, and hate groups in America.

The full report, including the 2021 hate and anti-government extremist group counts, an updated map showing the locations of these groups, accompanying analysis, essays, and policy recommendations will be released on March 9 and will be accessible then at www.splcenter.org.

If you would like to attend the launch event, please complete this [RSVP form](#)



Michael Lieberman he/him/his
Senior Policy Counsel, Hate & Extremism | Policy
Southern Poverty Law Center

T (b) (6)
(b) (6) | www.splcenter.org

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From: "O'Herron, Margy (ODAG)" <(b) (6)>

To: "Neal, David L. (EOIR)" <(b) (6)>

Subject: RE: (b)(6) per EOIR

Date: Fri, 04 Mar 2022 20:05:32 -0000

Importance: Normal

Could you please send me a copy of the DAR for the hearing?

From: Neal, David L. (EOIR) <(b) (6)>

Sent: Sunday, February 27, 2022 11:04 AM

To: O'Herron, Margy (ODAG) <(b) (6)>

Subject: RE: (b) (6)

This incident (b)(5), (b)(6) per EOIR.

From: O'Herron, Margy (ODAG) <(b) (6)>

Sent: Saturday, February 26, 2022 7:39 AM

To: Neal, David L. (EOIR) <(b) (6)>

Subject: Re: (b)(6) per EOIR

Thank you, David. (b) (5), (b) (6)

Do you concur in (b) (5)

?

Thanks,
Margy

Margy O'Herron
Senior Counsel
Office of the Deputy Attorney General
(b) (6)

On Feb 14, 2022, at 11:04 PM, Neal, David L. (EOIR) <(b) (6)> wrote:

Margy,

Attached and below is the info on (b)(6) per EOIR.

(b)(5), (b)(6) per EOIR

David

From: Swanwick, Daniel (EOIR) <(b) (6)>
Sent: Friday, February 11, 2022 5:00 PM
To: Neal, David L. (EOIR) <(b) (6)>
Subject: (b)(6) per EOIR

Good afternoon, David. As requested. Please let me know if you need anything else on these.

(b)(6) per EOIR

The attached complaint against (b)(6) per EOIR, was filed by pro bono attorneys with the SPLC's Southeast Immigrant Freedom Initiative, and it concerns a Credible Fear Review hearing that IJ (b)(6) per EOIR conducted for one of their clients, as well as more generalized allegations about procedures at Oakdale. The complainants allege that the IJ erred by not granting a continuance, by failing to provide the representative an opportunity to speak on the record, by failing to summarize off-record discussions on the record, and by incorrectly affirming the AO's no-credible-fear finding. Separately, they allege that there is a practice in the Oakdale court of starting court early, with only DHS present, and that IJs and DHS attorneys routinely communicate ex parte about specific matters, and at times pre-determine the outcome of a matter together. ACIJ (b)(6) per EOIR dismissed the complaint, finding that it could not be substantiated.

Ultimately, there are two parts to this complaint. The allegations about the court's operations, (b)(5), (b)(6) per EOIR they are also not tied to the specific allegations about IJ (b)(6) per EOIR handling of this CF review.

(b)(5), (b)(6) per EOIR

(b)(6) per EOIR

On Oct. 22, 2019, EOIR received an email in the Judicial Conduct mailbox from attorney (b)(6) per EOIR stating that the Memphis Immigration Court had misplaced forms related to a respondent's change of address and the entry of the attorney's appearance. (See attached email chain.) On behalf of the Judicial Conduct and Professionalism Unit, I sent the following reply to Mr. (b)(6) per EOIR:

Dear Mr. (b)(6) per EOIR:

Thank you for your message dated October 22, 2019. Although we do not formally docket complaints concerning immigration judges who are no longer employed with EOIR, I have forwarded your concerns to Assistant Chief Immigration Judge Kevin Mart, who supervises the Memphis Immigration Court, for whatever action he deems appropriate.

This office now considers this matter closed and will take no further action.

Judicial Conduct and Professionalism
Executive Office for Immigration Review

Mr. (b)(6) per EOIR sent a follow-up email on Nov. 5, 2019, alleging wrongful denial of two unopposed motions to change venue filed by the attorney of record, (b)(6) per EOIR and the wrongful denial of a motion to substitute counsel from Mr. (b)(6) per EOIR to Mr. (b)(6) per EOIR. On Nov. 8, IJ (b)(6) per EOIR held a hearing in which he detailed the history of the case, including the fact

that (b)(6) per EOIR, had recently denied Mr. (b)(6) per EOIR motions to change venue and substitute counsel, and his reasons for doing so. IJ (b)(6) per EOIR ultimately continued the case to permit preparation and/or the hiring of local counsel.

On behalf of the Judicial Conduct and Professionalism Unit, I emailed ACIJ Mart on Nov. 20, 2019, and proposed a reply to Mr. (b)(6) per EOIR second email that simply acknowledged receipt and stated that we would forward the message to ACIJ Mart. Judge Mart replied as follows:

(b)(5), (b)(6) per EOIR

We replied to Mr. (b)(6) per EOIR that day, telling him his concerns had been forwarded to ACIJ Mart.

On Nov. 25, 2019, Mr. (b)(6) per EOIR filed an interlocutory appeal of the denial of the change of venue. Although BIA Decisions shows the IJ as (b)(6) per EOIR it's wrong – the interlocutory appeal dealt with IJ (b)(6) per EOIR 11/7/2019 denial of the motion to change venue. Writing for the Board, (b)(6) per EOIR accepted the interlocutory appeal and remanded for a more complete development of the facts and better balancing of relevant factors. (See attached.)

I haven't seen the ROP, which is scanned to a cabinet in Los Angeles, so I can't characterize the motions before IJ (b)(6) per EOIR or his decisions on them. However, based on my review of the materials available to me, it appears that (1) (b)(5), (b)(6) per EOIR, and that (2) (b)(5), (b)(6) per EOIR

Dan

Daniel L. Swanwick
Counsel to the Deputy Director (acting)
Executive Office for Immigration Review
U.S. Department of Justice
5107 Leesburg Pike, Suite 2600
Falls Church, VA 22041
(b) (6)
(o)(b) (6) | (c)(b) (6)
pronouns: he/him/his ([What's this?](#))

June 14, 2021

ACIJ Grady A. Crooks
830 Pine Hill Road
PO Box 2179
Jena, LA 71342

ACIJ Joy Lampley-Fortson
180 Ted Turner Drive, SW
Suite 241
Atlanta, GA 30303

Office of the Chief Immigration Judge
5107 Leesburg Pike
Falls Church, VA 22041

Sent via USPS and via email: EOIR.IJConduct@usdoj.gov; judicial.conduct@usdoj.gov;
(b)(6) Grady Crooks

Re: (1) May 28, 2021 Credible Fear Review Hearing for Mr. (b)(6) per EOIR (A (b)(6) per EOIR (b)(6) per EOIR) with IJ (b)(6) per EOIR and
(2) Practice of Pre-Adjudicating Cases with ICE attorneys at the Oakdale Immigration Court

Dear ACIJ Crooks, ACIJ Lampley-Fortson, and Judicial Conduct Officers:

We, the staff of the Southeast Immigrant Freedom Initiative of the Southern Poverty Law Center (“SIFI/SPLC”) write to file two formal complaints: first, regarding a credible fear review hearing before IJ (b)(6) per EOIR at the Oakdale Immigration Court on May 28, 2021, and second, regarding the practice of Immigration Judges at the Oakdale Immigration Court beginning court early with only ICE attorneys present.

(1) IJ (b)(6) per EOIR Conduct at Mr. (b)(6) per EOIR Credible Fear Review Hearing of May 28, 2021 Deprived Mr. (b)(6) per EOIR of Due Process and Resulted in a Fundamentally Unfair Review and Unjust Decision

As described in the attached affidavit of attorney (b)(6) per EOIR, our legal team was recently retained by Mr. (b)(6) per EOIR to represent him in a Credible Fear Review before the Immigration Judge (IJ). We first screened him on Tuesday, May 25, 2021, and advised him to send us a copy of his credible fear worksheet and determination, which he did the next day. Late at night on May 27, 2021, Mr. (b)(6) per EOIR learned from (b)(6) per EOIR that Mr. (b)(6) per EOIR had just been informed that his IJ review hearing was set for the next morning, May 28, 2021, at 8:00 am. The EOIR automated case information system repeatedly reflected that no case information was available. Mr. (b)(6) per EOIR called the court at 8:01 am, one minute after its listed opening time, and was informed to file an E28 electronically in order to be called by the IJ when Mr. (b)(6) per EOIR hearing began. At 8:46 am, IJ (b)(6) per EOIR called Mr. (b)(6) per EOIR who informed the IJ that he had not had an opportunity to review the credible fear documents, and requested a brief continuance, explaining the timing of the representation. The IJ refused, stating that the documents were available electronically and the IJ review had been scheduled for four days, despite Mr. (b)(6) per EOIR not having been notified until the

night before, and despite the system reflecting no case information. Mr. (b)(6) per EOIR further explained this, and the IJ again refused to grant a continuance, stating that the hearing was scheduled for 7:30 am and thus Mr. (b)(6) per EOIR had over an hour to review the electronic file. Mr. (b)(6) per EOIR then explained that Mr. (b)(6) per EOIR was (b)(6) per EOIR, and requested the negative credible fear result be vacated. IJ (b)(6) per EOIR responded that she had not gone on the record, and forbade Mr. (b)(6) per EOIR from speaking on the record.

After IJ (b)(6) per EOIR went on the record, she shared a two-sentence summary of the eight-page credible fear interview, gruffly questioned Mr. (b)(6) per EOIR, demanding “yes or no” answers, and only provided him an opportunity to share “anything else” at the closing of the roughly 15 minute hearing. Mr. (b)(6) per EOIR was able to share that he was (b)(6) per EOIR at the time of the Credible Fear Interview (CFI), that he also wanted to disclose that (b)(6) per EOIR. IJ (b)(6) per EOIR then issued an oral decision, affirming the negative credibility finding, and immediately cut off the record such that Mr. (b)(6) per EOIR had no opportunity to speak on Mr. (b)(6) per EOIR’s behalf, make any closing statement, or ask any clarifying questions. As there were many alarming problems with the CFI, reflected by the I-863 notes, Mr. (b)(6) per EOIR would have been able to advise Mr. (b)(6) per EOIR to explain these on the record had IJ (b)(6) per EOIR granted the continuance. For example, in her oral decision, IJ (b)(6) per EOIR expressed that (b)(6) per EOIR completely failed to state that there was any reason he was unable to proceed with his interview when asked by the asylum officer, yet the I-863 record reflects that (b)(6) per EOIR told the officer at the very beginning of the interview: (b)(6) per EOIR

(b)(6) per EOIR See I-863 at p. 3. Further, there were significant problems with the interpreter, which is clear at various points of the interview. (b)(6) per EOIR, which is the dialect spoken by our client, is different from other more common forms of (b)(6) per EOIR, such as (b)(6) per EOIR, and our client was not given the right to a CFI in his best language, and it prejudiced the outcome of the credible fear determination, as well as the IJ review.¹ Had Mr. (b)(6) per EOIR been afforded a continuance to confer with Mr. (b)(6) per EOIR and informed of his rights, he would have been fully prepared to go through these issues and how they are reflected by the record at his credible fear review hearing.

On Friday, June 4, 2021, Mr. (b)(6) per EOIR submitted a Request for Reconsideration (RFR) of Mr. (b)(6) per EOIR CFI with the Houston Asylum Office. On Tuesday, June 8, 2021, the Houston Asylum Office issued a decision reversing the negative credibility finding and issuing a Notice to Appear (NTA), initiating Mr. (b)(6) per EOIR removal proceedings and demonstrating that IJ (b)(6) per EOIR decision was erroneous. See attached decision letter and NTA.

¹ “(5) If the alien is unable to proceed effectively in English, and if the asylum officer is unable to proceed competently in a language the alien speaks and understands, the asylum officer shall arrange for the assistance of an interpreter in conducting the interview.” 8 C.F.R. §208.30 (d)(5); see also <https://www.uscis.gov/tools/multilingual-resource-center/uscis-language-access-plan>; <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>.

Failure of IJ Review Notice and Failure to Grant a Continuance Deprived Mr. (b)(6) per EOIR of a Meaningful Attorney Consultation. 8 CFR § 1003.42(c) states that a respondent “may consult with a person or persons of the alien's choosing prior to the review.” Mr. (b)(6) per EOIR was not able to meaningfully consult with Mr. (b)(6) per EOIR, the attorney of his choosing, prior to the review, due to the notice issues and denial of a continuance, despite good cause shown, (*see* 8 C.F.R. § 1003.29) to allow time for counsel to review his credible fear worksheet and interview and advise him. Thus, Mr. (b)(6) per EOIR was deprived of the opportunity to meaningfully consult with his counsel and be informed of the various issues regarding the credible fear interview prior to the IJ review.

Failure of IJ Review Notice and Failure to Grant a Continuance Deprived Mr. (b)(6) per EOIR of a Fundamentally Fair IJ Review. “[T] the appropriate use of continuances serves to protect due process, which Immigration Judges must safeguard above all[.]” *EOIR OPPM 17-01, Continuances* at 3 (July 31, 2017), available at <https://www.justice.gov/eoir/file/oppm17-01/download>. The IJ should consider the specific factors of the case in determining whether to grant a continuance and for how long. Factors to consider include but are not limited to: “the reason and support for the request as well as any opposition to it, the timing of the request, the respondent’s detention status, the complexity of the case, the number and length of any prior continuances, and concerns for administrative efficiency.” *Id.* The “general policy” is to grant at least one continuance “of reasonable length” to give the respondent the opportunity to obtain counsel. *Id.* at 4.

Immigrants, even those in exclusion proceedings who are at the credible fear interview and credible fear review stage, are entitled to a fundamentally fair process in which the principles of due process (notice and a fair opportunity to be heard) are followed. The U.S. Supreme Court case of *Chin Yow v. U.S.*, is instructive. In this case, the petitioner, Mr. Chin Yow, under exclusion proceedings, sought entry to the United States from a ship, was denied his right to land by the commissioner of immigration at the port of San Francisco after a hearing, and that the Department of Commerce and Labor affirmed the decision on appeal. However, the petitioner filed a writ of habeas citing to due process and fundamental fairness issues with regard to his hearing, alleging that he was prevented by the officials of the commissioner from obtaining testimony and important evidence. The Court granted his writ of habeas and ordered a hearing to comport with the due process of law, given Mr. Chin Yow’s allegation that he was denied a fair opportunity to produce evidence and given “nothing but the semblance of a hearing.” *Chin Yow v. United States*, 208 U.S. 10-13 (1908).

Further, the standards set forth in the Ethics and Professionalism Guide for Immigration Judges state that an “Immigration Judge should be patient, dignified, and courteous, and should act in a professional manner towards all litigants, witnesses, lawyers and others with whom the Immigration Judge deals in his or her official capacity.” Executive Office for Immigration Review, Ethics and Professionalism Guide for Immigration Judges, at 3, § IX “Acting with Judicial Temperament and Professionalism,” available at: <https://www.justice.gov/sites/default/files/eoir/legacy/2013/05/23/EthicsandProfessionalismGuideforIJs.pdf> (hereinafter “IJ Ethics Guide”). The IJ Ethics Guide specifically states that an IJ should be alert to avoid behavior that may be perceived as biased, and an IJ “who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the immigration process into disrepute.” *Id.* IJ (b)(6) per EOIR failed to uphold the standards of ethics and professionalism expected of Immigration Judges in failing to comport herself with patience and courtesy both toward Mr. (b)(6) per EOIR prior to going on the record, and toward Mr. (b)(6) per EOIR during the hearing, and by exhibiting bias and animus, failed to provide a fundamentally fair hearing.

Similarly, Mr. (b)(6) per EOIR was denied a fair opportunity to produce evidence and given nothing but the semblance of a hearing at his IJ Review. *See* 8 C.F.R. § 1003.42(c) (“The Immigration Judge may receive into evidence any oral or written statement which is material and relevant to any issue in the review.”). Though Mr. (b)(6) per EOIR endeavored to retain and seek the advice of counsel before his IJ Review, he was not able to do so, not having received notice of his hearing until late the night before. Although Mr. (b)(6) per EOIR worked off-hours to communicate with Mr. (b)(6) per EOIR (b)(6) per EOIR and, despite other client and work obligations, to appear in court to seek a continuance, Mr. (b)(6) per EOIR was not able to review his credible fear interview and worksheet in order to analyze the various deficiencies and advise Mr. (b)(6) per EOIR on the best testimony and evidence to present prior to the hearing, due to the lack of notice to Mr. (b)(6) per EOIR. *See, e.g., Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306, 314 (1950) (“The fundamental requisite of due process of law is the opportunity to be heard . . . This right to be heard has little reality or worth unless one is informed that the matter is pending and can choose for himself whether to appear or default, acquiesce or contest.” (internal citations and quotation marks omitted)).

A simple, brief continuance by the IJ, as requested by Mr. (b)(6) per EOIR through Mr. (b)(6) per EOIR would have remedied this issue. The Court “may grant a motion for continuance for good cause shown.” 8 C.F.R. § 1003.29. An Immigration Judge may also grant a “reasonable adjournment at his or her own instance,” or for cause shown by the requesting party. 8 C.F.R. § 1240.6. In this instance, DHS did not oppose Mr. (b)(6) per EOIR motion to continue, there is a significant possibility that Mr. (b)(6) per EOIR could establish his ability to apply for or be granted asylum (per 8 C.F.R. § 1003.42(d)), his review merited a favorable exercise of discretion, and good cause was shown for the continuance. *See Matter of Hashmi*, 24 I&N Dec. 785, 790 (BIA 2009). This significant possibility is further supported by the fact that only days later, the Houston Asylum Office granted Mr. (b)(6) per EOIR RFR.

IJ (b)(6) per EOIR Abused Her Discretion in Forbidding Mr. (b)(6) per EOIR to Speak on the Record. Nothing in the statutes or regulations governing IJ Credible Fear Reviews forbids attorneys or representatives from speaking on behalf of clients during the IJ Review, yet IJ (b)(6) per EOIR used her discretion to forbid Mr. (b)(6) per EOIR from speaking on the record. Especially given all of the issues with the credible fear interview itself, the notice issues, the denial of a continuance, and the fact that SIFI/SPLC represents Mr. (b)(6) per EOIR on a *pro bono* basis, this was an abuse of discretion. 5 U.S.C. § 706(2)(A) (An agency abuses its discretion when it acts in a manner that is arbitrary and capricious). *See Motor Vehicle Mfrs. Ass’n v. State Farm Mut. Auto Ins. Co.*, 463 U.S. 29, 43 (1983) (finding that under the “arbitrary and capricious” standard, an agency must be able to articulate a satisfactory explanation for its action). According to the IJ Ethics Guide, which is binding on Immigration Judges, IJs “should encourage and facilitate *pro bono* representation.” IJ Ethics Guide, at 2, § V.

By denying a reasonable continuance and forbidding Mr. (b)(6) per EOIR to speak on the record, IJ (b)(6) per EOIR failed to heed binding OPPM Guidelines for facilitating *pro bono* legal services. “*Pro bono* representation benefits both the respondent and the court, providing respondents with welcome legal assistance and the judge with efficiencies that can only be realized when the respondent is represented. A capable *pro bono* representative can help the respondent navigate court rules and immigration laws and thereby assist the court in understanding the respondent's circumstances and interests in relief, if any is available. *Pro bono* representation in immigration court thus promotes the effective and efficient

administration of justice.” *Operating Policies and Procedures Memorandum 08-01: Guidelines for Facilitating Pro Bono Legal Services* (March 10, 2008), p. 2, David L. Neal, Chief Immigration Judge. This policy also guides IJs to schedule hearing and deadlines flexibly with regard to pro bono representatives: “Although EOIR is committed to completing cases promptly, the particular needs of pro bono representatives who appear before the immigration courts should also be taken into consideration. Judges are strongly encouraged to be flexible with pro bono representatives, particularly in the scheduling of hearings and in the setting of filing deadlines.” *Id.* at 3. “Because clinics and pro bono entities often face special staffing and preparation constraints, judges should be flexible and **are encouraged to accommodate appropriate requests for a continuance** or to advance a hearing date.” *Id.* at 4 (emphasis added). The IJ Ethics Guide also references OPPM 08-01, stating that an Immigration Judge may grant procedural priorities to pro bono lawyers. IJ Ethics Guide, at 2, § V.

IJ (b)(6) per EOIR failed to limit and summarize on the record the off-record dialogue. As detailed in Mr. (b)(6) per EOIR affidavit, a very important exchange, including Mr. (b)(6) per EOIR motion for a continuance, happened off-record. While IJ (b)(6) per EOIR should have gone on the record to allow Mr. (b)(6) per EOIR statements, or at the very least, summarized the off-record dialogue, she did neither. Not having summarized the off-record discussion on the record, the IJ failed also to ask the parties if the summary was a true and complete representation of the off-record discussion, and to ask the parties if they had anything to add to the summary. *EOIR OPPM 03-06, Procedures for Going Off-Record During Proceedings* at 2 (Oct. 3, 2003), available at <https://www.justice.gov/sites/default/files/eoir/legacy/2003/10/15/03-06.pdf>.

(2) As Stated by IJ (b)(6) per EOIR Immigration Judges Regularly Begin Court Early With Only ICE Attorneys Present

Mr. (b)(6) per EOIR not having practiced long in the Oakdale EOIR, was confused and surprised at IJ (b)(6) per EOIR statement that Mr. (b)(6) per EOIR hearing began at 7:30 am when the Oakdale clerk and the official listed hours on the website for Oakdale EOIR state that the court opens at 8:00 am. As stated in the attached declaration of SIFI/SPLC attorney (b)(6) per EOIR, who has been practicing in the Oakdale Immigration Court since 2018:

IJ (b)(6) per EOIR is referencing the age-old practice in Oakdale that is hidden from official sight, but so well-known and well-established that she states it openly as fact: Oakdale Immigration Judges and ICE attorneys, based down the street at 1010 E. Whatley Road, arrive at court early each day. While ICE attorneys are immediately allowed to proceed past security and into the courtrooms, respondents’ attorneys must wait in the court waiting room, often for hours, until their case is called. I have seen this practice dozens of times over the years. I am sure that this is what IJ (b)(6) per EOIR considers as court beginning at 7:30 am, having come from the ranks of Oakdale ICE herself, despite the fact that respondents and their attorneys are denied the opportunity to participate until they are called by the IJ and/or physically escorted to the court-room by security.

At times when I have been in the courtroom at Oakdale either awaiting a client to be brought in, awaiting the hearing to begin, or at times following my hearing while I am waiting for paperwork from the clerk, I have heard *ex-parte* conversations between the IJ and the ICE attorneys. These conversations always occur off the record. They review

ICE's version of the facts of a case before the upcoming hearing, and at times pre-determine the outcome together. I have heard these conversations largely about other respondents who were not in the room, or who did not understand the exchange happening in English; nor were their attorneys present. At times, ICE attorneys and Oakdale IJs have had a similar exchange in front of me about my client, prior to a bond hearing, off the record, which often is determinative of the outcome. I have also had the sense walking into some of my bond hearings that this has occurred immediately before my clients and I are allowed in.

Once, a TA explicitly acknowledged this practice to me. I had called early morning – around 7:00 am, and emailed, asking DHS to join a motion to waive hearing. A DHS attorney called back a few minutes later, and informed me that his colleague, a fellow DHS attorney, was at court already talking to the IJ, and that he would let her know to tell the IJ that DHS did not oppose the motion. While I do not consider that particular communication *ex-parte*, as the TA and I discussed DHS joining the motion, it, like IJ (b)(6) per EOIR statement, evidences the practice of ICE attorneys being in court before opening times discussing cases with the IJs without respondents or their attorneys present, and usually without consultation, before or after, with the respondent or attorney.

We as attorneys for the respondents have long considered this custom inappropriate, and questionable with regard to legal ethics as it allows for *ex-parte* communications that do indeed occur, but have felt powerless to address it, especially because each case is treated individually, and we are usually prevented from witnessing these exchanges, as the security guards only allow us highly restricted courtroom access upon order from the IJs. We, and many attorneys for respondents in the region, also fear retaliation from IJs. I, and other colleagues, have personally experienced inappropriate Oakdale IJ retaliation in various forms over the last few years.

Declaration of (b)(6) per EOIR, ¶¶ 4-7.

ABA Model Code of Judicial Conduct: Canon 2, Rule 2.9(A) states, “A judge shall not initiate, permit, or consider *ex parte* communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter,” with the exception of purely non-substantive scheduling, administrative, or emergency purposes, the judge promptly notifies all parties and allows an opportunity to respond, is obtaining advice of a disinterested expert on the applicable law, consulting with court staff and court officials, toward settlement with consent of parties, or when expressly authorized by law. *See EOIR OPM 05-02, Procedures for Issuing Recusal Orders in Immigration Proceedings*, at 2 nn. 2 & 3 (March 21, 2005) (stating that the ABA judicial canons “do apply to immigration judges”).

The ABA Code also states that judges “shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.” ABA Model Code of Judicial Conduct: Canon 1. “When the Constitution requires a hearing, it requires a fair one, one before a tribunal which meets at least currently prevailing standards of impartiality.” *Wong Yang Sung v. McGrath*, 339 U.S. 33, 50 (1950), overruled on other grounds, *Marcello v. Bonds*, 349

U.S. 302 (1955), superseded by statute (the Immigration and Nationality Act of 1952 (INA), 66 Stat. 163, as amended, 8 U.S.C. § 1101 et seq., not the Administrative Procedures Act, governs immigration/deportation hearings).

The long-standing practice at the Oakdale Immigration Court of allowing ICE attorneys court access not enjoyed by respondents or their attorneys, and the tendency for this practice to invite *ex parte* conversation between IJs and ICE attorneys is problematic in light of these standards. But for IJ (b)(6) per EOIR to state that “court began at 7:30 am,” a half hour earlier than the official court opening time, and a half hour earlier than the court doors are unlocked to allow respondents’ attorneys in, raises serious concerns about the independence, integrity, and impartiality of the Court, and particularly, what happens in IJ (b)(6) per EOIR courtroom before respondents and their attorneys are allowed access.

For the above-stated reasons, SIFI/SPLC respectfully requests that, for his removal proceedings, Mr. (b)(6) per EOIR be assigned to a new IJ as we do not believe that he will receive fair and impartial treatment from IJ (b)(6) per EOIR. Further, SIFI/SPLC requests that the ACIJ and those responsible for examining EOIR ethical issues seriously scrutinize the actions and practices of IJ (b)(6) per EOIR as described herein, and the Oakdale Immigration Court concerning the practice of allowing ICE attorneys court access that is not shared by respondents and their attorneys.

Sincerely,

(b)(6) per EOIR, él/he/they, EOIR No. (b)(6) per EOIR, (b) (6)
(b)(6) per EOIR, she/her, EOIR No. (b)(6) per EOIR, (b) (6)
(b)(6) per EOIR, she/her, EOIR No. (b)(6) per EOIR, (b) (6)
(b)(6) per EOIR, she/her, Project Coordinator, (b) (6)

SOUTHEAST IMMIGRANT FREEDOM INITIATIVE | SOUTHERN POVERTY LAW CENTER
P.O. Box 57089
New Orleans, LA 70157
Phone number for purposes of this complaint: (b)(6) per EOIR

June 8, 2021

To Whom It May Concern:

I, (b)(6) per EOIR (legal name (b)(6) per EOIR), hereby swear and state the following is true and correct to the best of my knowledge and recollection:

1. My name is (b)(6) per EOIR, and I am an attorney with the Southeast Immigrant Freedom Initiative at the Southern Poverty Law Center. My legal name is (b)(6) per EOIR, but (b)(6) per EOIR, use the name (b)(6) per EOIR and have filed a name change petition which is currently pending with the Circuit Court of the (b)(6) per EOIR Circuit for Miami-Dade County (Case number (b) (6)). I write this affidavit to explain my experience of an Immigration Judge (IJ) review of a Credible Fear (CF) determination by telephonic hearing at the Oakdale Immigration Court the morning of May 28, 2021.
2. I was recently retained by Mr. (b)(6) per EOIR ((b)(6) per EOIR), (b)(6) per EOIR detained at the Winn Correctional facility ("Winn"). Our team first spoke with Mr. (b)(6) per EOIR on Tuesday May 25, 2021 where he explained that he was feeling very ill the day of his asylum interview and that (b)(6) per EOIR. He also told his U.S. citizen first cousin and sponsor, Mr. (b)(6) per EOIR that (b)(6) per EOIR. At that time our team's project coordinator, (b)(6) per EOIR, provided him an address to send a copy of his credible fear worksheet and determination. Mr. (b)(6) per EOIR mailed it out the next day. He also informed her that he was not aware of any future hearing dates at that time.
3. On May 27, 2021 at 10:49pm ET/9:49pm CT, advocates with the (b)(6) per EOIR who have been in touch with Mr. (b)(6) per EOIR sponsor, emailed me to inform me that Mr. (b)(6) per EOIR received a call from Mr. (b)(6) per EOIR that same evening explaining that he had just been informed he was slated for IJ review of his CF determination the next morning, May 28, 2021 at 8:00am CT.

4. As soon as I read the email at 11:14pm ET/10:14pm CT, I searched for an update on the EOIR automated case information system¹ but after entering Mr. (b)(6) per EOIR A number (b)(6) per EOIR (b)(6) per EOIR) multiple times, the system repeatedly reflected that “Case information is unavailable.”
5. In an abundance of caution, the next day, May 28, 2021 at 6:14am ET/5:14am CT, I emailed my G28 to enforcement officials overseeing Winn as well as the private prison staff, inquiring about the hearing Mr. (b)(6) per E was told he had this same morning. I also called the Oakdale Immigration Court at 8:01am CT, as soon as the EOIR website reflected they were open. The clerk who answered informed me that in fact Mr. (b)(6) per E did have a CFI review hearing scheduled for 8:00am CT but that if I was able to file my EOIR-28 electronically via the ECAS system, the Immigration Judge (“IJ”) should call me at the allotted time as Mr. (b)(6) per E was unlikely the first person scheduled for his hearing. I submitted my EOIR-28 electronically as instructed and thanked the clerk for his assistance.
6. At 8:46am CT I was called from the Court by IJ (b)(6) per EOIR . I greeted IJ (b)(6) per EOIR as your honor and confirmed that I was the attorney who entered an appearance on Mr. (b)(6) per EOIR behalf. Immediately as a preliminary matter, I informed IJ (b)(6) per EOIR that I was only recently retained by Mr. (b)(6) per EOIR that I had not yet had an opportunity to review his CFI documents in order to effectively counsel him (as is his right pursuant to 8 C.F.R. 1003.42(c)). I respectfully requested a brief continuance explaining that Mr. (b)(6) per E had mailed me a copy of the I-863 record only two days prior. IJ (b)(6) per EOIR retorted that she would not continue the hearing and that the I-863 record was available electronically.
7. I explained to IJ (b)(6) per EOIR that while I had practice extensively before EOIR, I had only recently returned to the practice of direct services from impact litigation and was not aware of the availability of the electronic file and had only learned, together with my client, of the IJ review hearing late last night. I asked, given the circumstances, if she would not continue the hearing, whether she would consider hearing her other cases first to allow me a reprieve to review the electronic file. She refused, stating that the hearing

¹ <https://portal.eoir.justice.gov/InfoSystem/Form?Language=EN>



would proceed, that the hearing was in fact scheduled for 7:30am (to my mind an impossibility as the Court does not open until 8am) and thus, I had been given over an hour to review the electronic file.

8. At this point I explained that my client had informed me he was (b)(6) per EOIR [REDACTED]
[REDACTED], and on this basis alone I respectfully requested that the negative determination be vacated. IJ (b)(6) per EOIR proceeded to admonish me in a harsh tone stating to the effect, “First of all, we are not on the record. Second of all, you are not allowed to speak during these proceedings.” I responded to the effect of, “I apologize, I am just trying my best to advocate on behalf of my client given these unforeseen circumstances.”
9. After going on the record, sharing an approximately two-sentence summary of Mr. (b)(6) per EOIR eight-page interview, IJ (b)(6) per EOIR began to gruffly question Mr. (b)(6) per EOIR at certain points interrupting him and demanding “yes or no” answers only. After these questions, IJ (b)(6) per EOIR only provided Mr. (b)(6) per EOIR an opportunity to share “anything else” at the close of the approximately thirteen-minute hearing. Despite my inability to counsel him in advance, Mr. (b)(6) per EOIR bravely shared he (b)(6) per EOIR [REDACTED]
[REDACTED]
[REDACTED]. IJ (b)(6) per EOIR then issued an oral decision, affirming the negative credibility finding, immediately going off the record as soon as she finished speaking, but before I had an opportunity to ask Mr. (b)(6) per EOIR any clarifying questions or make any closing statement on his behalf.
10. There were many alarming problems with the Credible Fear Interview, reflected by the I-863 notes, which I was trying to speak to on the record as I was reviewing them for the first time while IJ (b)(6) per EOIR was questioning Mr. (b)(6) per EOIR. I would have counseled Mr. (b)(6) per EOIR to address these on the record had IJ (b)(6) per EOIR not forbidden and effectively prevented him from consulting with me prior to these proceedings. For example, in her oral decision, IJ (b)(6) per EOIR expressed that Mr. (b)(6) per EOIR completely failed to state that there was any reason he was unable to proceed with his interview when asked by the asylum

officer, yet the I-863 record reflects that Mr. (b)(6) per E told the officer at the very beginning of the interview: (b)(6) per EOIR

(b)(6) per EOIR

(b)(6) per EOIR

(b)(6) per EOIR See I-863 at p. 3. Further, there were significant problems with the interpreter, which is clear at various points of the interview. (b)(6) per EOIR, which is the dialect spoken by my client and is much closer to (b)(6) per EOIR than (b)(6) per EOIR, and my client was not given the right to have his Credible Fear Interview conducted in his best language.

11. After abruptly cutting off the record before I was able to speak as planned, IJ (b)(6) per EOIR stated, “thank you for being here Mr. (b)(6) per EOIR have a good day” and the call dropped. Thereafter, I immediately requested a legal call with my client at the Winn facility and sought advice from my colleagues who have been practicing in this region far longer than I have. Astonishingly, I was informed that there is a pattern and practice of ICE trial attorneys being allowed to appear in the courtroom prior to the start of hearings and that they frequently engage in *ex parte* communications with IJs about the scheduled cases. Perhaps this is why IJ (b)(6) per EOIR stated that Mr. (b)(6) per EOIR hearing began at 7:30am CT when the Oakdale clerk, and later ICE officials at Winn, confirmed to me that Mr. (b)(6) per E was set for an IJ review hearing at 8am CT.
12. At 12:42pm CT, I received a call from the Winn facility to facilitate my legal call with Mr. (b)(6) per EOIR. I called our telelanguage line and requested an (b)(6) per EOIR interpreter. I proceeded to speak with Mr. (b)(6) per E through the interpreter. Mr. (b)(6) per E confirmed that he understood the interpreter well and the interpreter confirmed that she understood Mr. (b)(6) per E well. During the call, Mr. (b)(6) per E shared the following with me:
 - “During my asylum interview, the officer through the interpreter repeatedly interrupted and reprimanded me, telling me I had to be practical and forcing me to follow a different line of questioning rather than allowing me to tell him my story and my fear of deportation to (b)(6) per EOIR
 - I have been reviewing the interview documents and many of the dates do not make sense and the questions and answers appear to be changed or completely cut short. For instance, (b)(6) per EOIR and I expressly told this to the officer, but this doesn’t appear anywhere



in the record. I also told the officer that (b)(6) per EOIR but this also does not appear in the record.

- As for my (b)(6) per EOIR

[REDACTED]

- In this facility (b)(6) per EOIR

[REDACTED]

13. On Friday, June 4, 2021, I submitted a Request for Reconsideration or Reinterview to the Houston Asylum Office on Mr. (b)(6) per EOIR behalf. On Tuesday, June 8, 2021, the Houston Asylum Office reversed its initial decision and found that Mr. (b)(6) per EOIR did in fact have a credible fear of return to (b)(6) per EOIR further evidencing IJ (b)(6) per EOIR wrongful behavior during the credible fear review hearing.

(b)(6) per EOIR

Date: June 8, 2021

(b)(6) per EOIR, Esq.

Southeast Immigrant Freedom Initiative
Southern Poverty Law Center

(b) (6)

(b) (6)

DECLARATION OF (b)(6) per EOIR

I, (b)(6) per EOIR, declare as follows:

1. My name is (b)(6) per EOIR, and I am an attorney with the Southeast Immigrant Freedom Initiative at the Southern Poverty Law Center, a direct services program which is one of the few *pro bono* representation programs for detained immigration court respondents across the Louisiana region. I have practiced before the Oakdale Immigration Court regularly since October, 2018. My contact information is P.O. Box 57089, New Orleans, LA 70157 (b) (6), (b) (6).
2. On May 28, 2021, our client, (b)(6) per EOIR ((b)(6) per EOIR), (b)(6) per EOIR [REDACTED] detained at the Winn Correctional facility, was denied a fair CFI review before Immigration Judge (b)(6) per EOIR as detailed by the May 28, 2021 affidavit of my colleague, (b)(6) per EOIR, who was present at the hearing.
3. One of IJ (b)(6) per EOIR statements to Mr. (b)(6) per EOIR was that immigration court begins at 7:30 am, while official listed hours of the Oakdale Immigration Court show that the court official opens at 8:00 am, and the doors to the lobby are not unlocked for respondents' attorneys, family members, and others until 8:00 am.
4. IJ (b)(6) per EOIR is referencing the age-old practice in Oakdale that is hidden from official sight, but so well-known and well-established that she states it openly as fact: Oakdale Immigration Judges and ICE attorneys, based down the street at 1010 E. Whatley Road, arrive at court early each day. While ICE attorneys are immediately allowed to proceed past security and into the court-rooms, respondents' attorneys must wait in the court waiting room, often for hours, until their case is called. I have seen this practice dozens of times over the years. I imagine that this is what IJ (b)(6) per EOIR considers as court beginning at 7:30 am, having grown accustomed to it during her time as an ICE attorney in Oakdale, despite the fact that respondents and their attorneys are denied the opportunity to participate until they are called by the IJ and/or physically escorted to the court-room by security.
5. At times when I have been in the court-room at Oakdale either awaiting a client to be brought in, awaiting the hearing to begin, or at times following my hearing while I am waiting for paperwork from the clerk, I have heard *ex-parte* conversations between the IJ

and the ICE attorneys. These conversations always occur off the record. They review ICE's version of the facts of a case before the upcoming hearing, and at times pre-determine the outcome together. I have heard these conversations largely about other respondents who were not in the room, or who did not understand the exchange happening in English; nor were their attorneys present. At times, ICE attorneys and Oakdale IJs have had a similar exchange in front of me about my client, prior to a bond hearing, off the record, which often is determinative of the outcome. I have also had the sense walking into some of my bond hearings that this has occurred immediately before and my clients and I are allowed in.

6. Once, a TA explicitly acknowledged this practice to me. I had called early morning – around 7:00 am, and emailed, asking DHS to join a motion to waive hearing. A DHS attorney called back a few minutes later, and informed me that his colleague, a fellow DHS attorney was at court already talking to the IJ, and that he would let her know to tell the IJ that DHS did not oppose the motion. While I do not consider that particular communication *ex-parte*, as the TA and I discussed DHS joining the motion, it, like IJ (b)(6) per EOIR statement, evidences the practice of ICE attorneys being in court before opening times discussing cases with the IJs without respondents or their attorneys present, and usually without consultation, before or after, with the respondent or attorney.
7. We as attorneys for the respondents have long considered this custom inappropriate, and questionable with regard to legal ethics as it allows for *ex-parte* case communications that do indeed occur, but have felt powerless to address it, especially because each case is treated individually, and we are usually prevented from witnessing these exchanges, as the security guards only allow us highly restricted courtroom access upon order from the IJs. We, and many attorneys for respondents in the region, also fear retaliation from IJs. I and other colleagues have personally experienced inappropriate Oakdale IJ retaliation in various forms over the last few years.
8. Mr. (b)(6) per EOIR, new to Oakdale, was confused when IJ (b)(6) per EOIR explicitly referred to this practice by her statement to him today that court begins at 7:30 am. I had to explain to Mr. (b)(6) per EOIR how things work in Oakdale, much to the dismay and prejudice of respondents and the attorneys who represent them. While court may begin for the IJs and



the ICE attorneys, they seem to forget that when proceedings are properly conducted in accordance with the rules governing Immigration Court, Immigration Judges, legal ethics, and fundamental fairness and due process, court should not begin until the court is officially open and accessible to all, and no *ex-parte* discussion of cases should not be happening between DHS attorneys and the Immigration Judges -- despite the fact that DHS and Immigration Judges at Oakdale are used to this long-standing norm of their own design.

I hereby swear under penalty of perjury that the foregoing information is true and correct to the best of my knowledge.

(b)(6) per EOIR

June 11, 2021

(b)(6) per EOIR